ROSENTHAL, MONHAIT, GROSS & GODDESS, P. A.

ATTORNEYS AT LAW
SUITE 1401, 919 MARKET STREET

P. O. BOX 1070

WILMINGTON, DELAWARE 19899-1070

TELEPHONE (302) 656-4433
FACSIMILE (302) 658-7567
E-MAIL RMGG@RMGGLAW.COM

JOSEPH A. ROSENTHAL NORMAN M. MONHAIT KEVIN GROSS JEFFREY S. GODDESS CARMELLA P. KEENER EDWARD B. ROSENTHAL JESSICA ZELDIN

September 23, 2005

VIA ELECTRONIC FILING

The Hon. Kent A. Jordan United States District Court 844 King Street Wilmington, DE 19801

RE: In Re: TriCor Direct Purchaser Antitrust Litigation

C.A. No. 05-340 KAJ This Document Relates to:

> C.A. No. 05-340 KAJ (Louisiana Wholesale) C.A. No. 05-351 KAJ (Rochester Drug) C.A. No. 05-358 KAJ (Meijer, Inc., et al.)

Dear Judge Jordan:

On behalf of the Direct Purchasers whom she represents in C.A. Nos. 05-404 KAJ and 05-605 KAJ, Ms. McGeever has served and filed a motion seeking leave to file amended complaints under seal, which motion is uncontested by defendants.

I mention that to provide a quick frame of reference to the attached, which is essentially the identical motion filed on behalf of the Direct Purchaser Class Action Plaintiffs whom I represent. The same situation obtains here. That is, and as set forth in my accompanying Rule 7.1.1 Statement, the defendants, in the absence of having seen the amended complaint, do not oppose the initial filing of an amended complaint under seal and, further, the parties will confer promptly to see if agreement can't be reached on unsealing all or portions of the complaint before expiration of the five day interval for filing a redacted version.

Respectfully yours

Jeffrey S. Goddess (Del. Bar No. 630)

jgoddess@rmgglaw.com

JSG/cmw

cc: Clerk, U.S. District Court Counsel on motion service list